

## MARSHAL AT CLAYTON SHOT

PETE BARKER, WIDELY KNOWN  
PEACE OFFICER, KILLED  
IN FIGHT

### EARLY MORNING TRAGEDY

SHOOTING TOOK PLACE AT UNION  
COUNTY SEAT AT 4 A. M.  
TODAY

### RESULT OF A QUARREL

ATTACKS FRANK GARCIA, TOWN  
JAILER, WHOSE AIM IS  
DEADLY

Clayton, N. M., Aug. 3.—Pete Barker, marshal of Clayton, and one of the best known peace officers of northeastern New Mexico, was shot and almost instantly killed at 4 o'clock this morning, in a fight with Frank Garcia, the jailer. Barker, it is said, fired the first shot at Garcia, who then drew his own gun and shot the marshal dead.

The shooting caused intense excitement, a report having been started that Barker had been killed by unknown men who were thwarted by him in an attempt to liberate the Jamison brothers, held in jail awaiting the action of the grand jury for the murder of Deputy Sheriff J. J. Kent, about a month ago. However, this rumor proved groundless, although before it was headed off, the streets of the town swarmed with armed men, determined to avenge the killing of the officer.

It is said that Garcia and Barker had been enemies for some time, each having threatened to kill the other at the first opportunity, and the tragedy of this morning was the climax of this enmity.

Garcia has been arrested, but claims self-defense. His story that Barker

fired the first shot is said to be substantiated by eye-witnesses to the shooting.

#### Brothers Here Notified

Shortly before noon today, J. W. Barker, a brother of the dead man, who is employed at Nolette's barber shop, was notified of his brother's murder in a telegram, which, however, simply announced that "Pete Barker had been shot and killed at 4 a. m. this morning." The brother here left this afternoon on No. 2 for Trinidad, from where he will go to Clayton to investigate the killing and render what assistance he can in prosecuting the murderer.

#### KNIGHTS OF COLUMBUS MEET IN CONVENTION

Mobile, Ala., Aug. 3.—The annual convention of the Knights of Columbus opened here today with Pontifical high mass, at which Archbishop Bohn G. Glennon, of St. Louis, delivered the sermon. "The time has come," he said, "when no set of men can array themselves against the religion of his fellow citizen in the United States. The American Catholic places only the symbol of divinity above devotion to his country's standard."

He urged the knights to sustain every noble cause, placing citizenship above party and extending to all irrespective of race or creed, the even hand of justice that they all themselves demand.

#### DECLARES WEST SHOULD ASSERT ITS INFLUENCE

Seattle, Wash., Aug. 3.—At the unveiling of a bust of James J. Hill at the exposition here today, Governor John A. Johnson, of Minnesota, said in part:

"It is time the west threw off the shackles of the east. I preach no sectional division or strife, but the west should arise in all its might and claim that fair share of influence in the halls of congress and in the administration of national affairs to which we are entitled by every law of common sense and political economy."

#### NEW YORK HEARS OF HARRIMAN'S IMPROVEMENT

New York, Aug. 3.—A private cablegram received here, says that E. H. Harriman is greatly improved in health and that his condition is better than for many years. He will arrive home about September 10.

## RICE EFFECTED HIS ESCAPE WHILE THE OFFICERS SLEPT

Needles, Calif., Aug. 3.—Further investigation of the escape of Edward Rice, the New Mexico fugitive, shows that he took his leave of the New Mexico officers, while both were in the arms of Morpheus.

Romero and Williams both claimed that they had Rice shackled and handcuffed, but it has been learned that he was only handcuffed. Romero put his pants under his pillow and dozed off. Rice took a key from the bunch with his teeth, unlocked his handcuffs, coolly dressed while the officers slept, waited in the berth until the train reached Needles several hours later and stepped off the train.

The Las Vegas officers did not notify the local officers about it for over forty hours after the escape and there is abundant reason to believe they did not wake up and discover the absence of Rice until they reached Kingman, Arizona, sixty-five miles east of here.

Rice made himself a good fellow on the officers' money (taken from their pockets), for two days before it was known he was wanted, and when he was pursued, used Romero's gun in his flight to save himself from capture, wounding an Indian trapper. After officers had him surrounded, Romero announced he would not make further attempt to take him on account of the jungle nature of the swamps, making it such a dangerous proposition that he did not care to further prosecute the chase.

Rice then of his own free will went to a bridge camp and secured work where the local officers effected his arrest. On being taken to breakfast the next morning he struck the off-

icer and started to run. The officer shot him through the lungs. It is doubtful if he will recover.

Romero is said to have tried to borrow a gun from a store proprietor here, who refused to lend him one on the ground that Rice might take it away from him.

#### RICE DESPERATE MAN; WANTED FOR MURDER

That Rice is a desperate criminal is shown by recent developments. He has been identified by the California authorities as the slayer of a deputy sheriff at Fresno, that state, in 1907, and for whom a standing reward of \$1,000 has been offered for his capture and conviction. The San Bernardino Sun of last Sunday prints the following story of Rice's life with a few more sidelights on his escape from Sheriff Romero:

"Edward Rice was received at the county hospital yesterday from Needles, being brought in by Special Officers Acuna and Bortoroff. His condition is critical, and it is the belief of the doctors that he cannot recover from the wound inflicted by Constable James West, to prevent the prisoner from escaping."

"Sheriff Ralphs is now investigating the prisoner's past. He bears a striking resemblance to James Richardson, wanted at Fresno for the murder of Deputy Sheriff D. D. Price, on the afternoon of March 13, 1907. From a photograph of Richardson, in possession of Sheriff Ralphs, the identification was attempted yesterday, three officers stating positively that in their

(Continued on Page 4)

## THAW HAS NOT LOST HOPE

COUNSEL MORSCHAUER SCORES  
IN CROSS-EXAMINATION

### GRILLS INSANITY EXPERT

FORCES PHYSICIAN AT MATTEAWAN  
TO TESTIFY FAVORABLY

### HE ANSWERS RELUCTANTLY

BUT FOR WHITE KILLING SAYS  
DEFENDANT WOULD BE  
FREE MAN

White Plains, N. Y., Aug. 3.—Dr. Amos T. Baker, of the Matteawan state hospital, was recalled to the stand in the Thaw hearing this morning and under questioning of Mr. Morschauer, counsel for Thaw, admitted that had it not been for the Stanford White episode he would have had some hesitation about committing Thaw to the asylum. After detailing Thaw's life at the asylum, Dr. Baker was asked:

"Did you ever tell Thaw there was nothing the matter with his brain?"

"No sir, I cannot remember," he replied.

Baker admitted saying at a former hearing that in the diagnosis of Thaw's case depressive insanity had never been established. Asked whether or not he would certify that Thaw was insane from personal observation outside the White episode, he said:

"Thaw has shown bad judgment," but admitted he might hesitate to commit him to an asylum.

Justice Isaac N. Mills in questioning Dr. Amos T. Baker, obtained the most important statement yet expressed regarding Thaw's sanity. The witness said he did not consider the opportunities adequate to form a satisfactory conclusion, but nevertheless he declared it as his belief that the prisoner was now insane, and that his release would be a menace to public safety. Jerome then recalled Thaw, who was evidently very nervous, and questioned him about his "romantic" letters to his wife.

Despite some of the unfavorable developments of the past few days in his case, Thaw has not lost hope that he will secure his discharge from the asylum. While not as buoyant as he was, still he is cheerful. The Thaw family feel that District Attorney Jerome has shown unusual animosity in the hearing, this animosity reaching the vindictive stage at times.

GOVERNMENT REPORTS TRAN-  
QUILITY HAS BEEN RE-  
STORED

### GENERAL STRIKE FAILS

PRECAUTIONARY MEASURES  
TAKEN BY GOVERNMENT  
SUCCEED

### KING ALFONSO UNPOPULAR

DON JAMIE, PRETENDER TO  
THRONE, NOT TO ENCOUR-  
AGE UPRISING

Madrid, Aug. 3.—According to a statement issued today by the minister of the interior, tranquillity now reigns throughout Spain, except in the isolated localities of Catalonia. Several columns of troops, composed of infantry, cavalry and artillery are marching on Sabadell, near Barcelona, where the insurgents are still holding out. The general strike called yesterday at Madrid and Bilbao failed, owing to the precautionary measures taken by the authorities. General Marina, in command in Morocco, is awaiting further reinforcements. Upon their arrival, the advanced Spanish positions at Mount Atalayou and Sidiamet will be strengthened preparatory to an advance upon Melilla, the Spanish objective point. The Red Cross is working hard to care for the wounded at Melilla and other Spanish ports.

**Pretender Issues Statement.**  
Vienna, Aug. 3.—Don Jamie, pretender to the Spanish throne, has disavowed any intention of taking advantage of the present crisis in that country. "The Carlist party is a party of order," he said, "and I never take upon myself to bring the entire people into danger to serve my own ends. Should I return to Spain at the head of an army, it will be only to restore order. This might happen if King Alfonso was driven out. The popularity of the king is on the wane through no fault of his, and Queen Victoria is even less liked by her people, who dread her foreign influence."

#### Moors Prepare for Attack

Melilla, Aug. 3.—A large force of Moors, including contingents from the coast and inland tribes, is gathering before Alhucemas, an island belonging to Spain. They are preparing for an attack. The Moors attacked a block house in the course of erection here last night, but were repulsed.

#### MAY ESTABLISH FISH HATCHERY ON GALLINAS

Col. Thomas P. Gable, territorial game and fish warden, will arrive in

Las Vegas on No. 10 tomorrow, coming here for the purpose of visiting Trout Springs on the upper Gallinas, with a view to investigating the feasibility of establishing a territorial fish hatchery there.

It is a settled fact that a territorial fish hatchery is to be established as soon as an available site can be secured. It is also certain that it will be established on either the Gallinas or the upper Pecos river.

Upon his arrival in the city, Mr. Gable will be met by Max Nordhaus, of the Charles Ilfeld company, and Col. M. M. Padgett, and driven to Trout Springs.

#### CONTRACT AWARDED FOR NEW BUSINESS BLOCK

Last evening the contract was let for a store building to be put up by O. L. Gregory on Center street. The contract was let by E. W. Hart, the architect who drew the plans for the building.

The edifice is to be two stories, and is to occupy 25x60 feet of ground space. The first floor is to be devoted to a store, while above it is to be a seven room apartment, with bath. A store room will occupy the basement portion. The building is to be rather small, but will be modern and up to date in every respect.

The main contract went to J. K. Martin, while there still remain to be let the contracts for the plumbing and heating. Four contracts were received, the lowest one being accepted. The final cost of the edifice is to be between \$5,000 and \$6,000.

#### INTERESTING DIVORCE SUIT BEFORE CHIEF JUSTICE MILLS

This morning Chief Justice William J. Mills continued the hearing in the following case:

Palacio Shoble de Mares vs. Balazar Mares et al., case No. 1754, Mora county. This is a divorce suit, in which the plaintiff files petition for a divorce, on account of cruelty and desertion, and also seeks to set aside a deed executed in January of the present year, by which the defendant conveyed a piece of land situated at Buena Vista, Mora county, to one Romaldo Gonzales.

The defendant has filed a cross complaint, in which he asks for a separation.

The case was heard yesterday afternoon and continued this morning. E. E. Veeder appears for the plaintiff and O. A. Larrasolo for the defendant.

## PUEBLO POLICE MAY HAVE BAKER'S SLAYER

The local authorities are much interested in the arrest at Pueblo, Colo., of a highwayman who held up a street car in that city a week ago. That the man under arrest there may be the slayer of James Baker, who was shot and killed in the Meridian restaurant on the morning of July 23d, is more than probable, as it is said the prisoner has admitted being in this city on the date of the murder, which was preceded the night before by the hold-up of a traction car, when Conductor George Schmidt was shot.

The Pueblo Chief of Police has the following story concerning the highwayman under arrest there:

"Information against the lone highwayman continues to be received by the Pueblo police and sheriff's office. From the different descriptions, it is thought that the man giving his name as C. C. Collins, now held for trial before the district court on the charge of robbery, is the same man who succeeded in other hold-ups in different states lately."

"The sheriff's office has photographed Collins and sent the likeness broadcast. This action is resulting in the receipt of many letters, and it is thought that Collins or the man giving that name is wanted in a number of places."

"It is Collins who pleaded guilty to holding up the conductor and motorman of an Irving Place car on July 26, and relieving them of watches and money to the value of nearly \$100."

"From letters received by the Pueblo police it is believed that Collins

## COMPROMISE RESTORES PEACE

TARIFF BILL SAVED FROM DE-  
FEAT BY CONFERENCE  
COMMITTEE

### FIX LEATHER SCHEDULE

A JOINT RESOLUTION DRAWN,  
REMODELING THIS  
CLAUSE

### SMOOTH SAILING AHEAD

EVEN THE "RANGE" SENATORS  
NOW APPEAR TO BE SATIS-  
FIED

Washington, Aug. 3.—The decision of the conference committee to bring in a joint resolution, remodeling the leather schedule, had a reassuring effect in the senate today and the republican leaders now feel that the bill will go through without further difficulty.

Even those "range" senators, while not entirely pleased with the protection afforded on leather goods, are not unmindful of the concessions that have been made and today for the first time announced their intention of voting for the bill.

Senator Culberson gave notice he would present an amendment, putting cation bagging on the free list.

When questioned by Senator Newlands, Mr. Aldrich gave a full explanation of the tariff commission clause, stating it was even broader in authority than that given by the president, as it empowers the president to employ whom he pleases and to assign the commission to such duties as he sees fit.

The conference report will be voted on at 2 o'clock Thursday afternoon, according to an agreement reached today on the motion of Senator Bailey, of Texas.

## WOULD-BE TRAIN WRECKERS AFTER BULLION SHIPMENT

Crawford, Neb., Aug. 3.—What is believed to have been a daring attempt at train robbery, was discovered yesterday when an engineer of a passenger train on the Burlington, said to be carrying a bullion shipment of \$250,000, discovered steel rails on the track as the train rounded a curve near Belmont. He stopped his train with difficulty a few feet from the obstruction. A farmer found in the vicinity claimed he was attempting to flag the train to get medical assistance.

## THAT TAFT-DIAZ MEETING NOW SEEMS VERY UNLIKELY

El Paso, Texas, Aug. 3.—A special train from Monterey says it is possible that the meeting between President Taft and General Diaz will have to be called off on account of the political situation in Mexico. General Geronimo

Trevino has been replaced by General Lauro Villar in command of the troops in Monterey. This move is regarded as significant as General Bernardo Reyes, the opposition candidate for vice-president, is governor of that state.

is the man who held up Aaron Lincoln, a conductor on a Phoenix, Arizona street car a short time ago. Lincoln gives a description of his robber that tallies in many respects to that of Collins, and the method of work of the Phoenix hold-up was much the same as that used by Collins here when he held up the two car men. Aaron Lincoln is a former Fowler resident, and his parents still live in that town.

"When commanded to throw up his hands, Lincoln hesitated a moment, he says, and was brought to a sense of the advantage of the bandit when the hold-up fired his pistol, sending a bullet uncomfortably close to Lincoln's head. Lincoln states that he had a good opportunity to slay his man up and could identify him."

"Another report states that a man answering the description of Collins held up a restaurant in Trinidad recently and got away. The Las Vegas, New Mexico, authorities state they think Collins is the same man who pulled off a hold-up there a short time ago, which resulted in the highwayman killing a restaurant employe. Collins admits that he traveled a route which brought him past the towns mentioned, but that he can prove that his conduct was all it should be in the different towns."

"The trial of Collins for holding up the car men will be held before the district court. The man states that he would not have held up the conductor and motorman but for the fact that he was hungry and had not eaten for two days. He says Collins is not his right name, and that he will not tell it, on account of his family."